

REMARKS

Claims 1-12 and 14-19 remain in connection with the present application. Claim 1 is the sole remaining independent claim.

Advisory Action

Initially, in reply to the Advisory Action, Applicants have submitted the previous After-Final Amendment in the form of a Preliminary Amendment to address the issues raised in the Advisory Action. The Preliminary Amendment makes the same claim amendments as the After-Final Amendment of February 12, 2004, and thus raises the same new issues.

In the Advisory Action, the Examiner indicated that the drawings of the DCAR did not include red-line changes. Thus, a new DCAR is submitted herewith.

Further, regarding the claims, Applicants stand by the original arguments as set forth below. With regard to the Examiner's comments relating to the language "adapted to", this language constitutes a claim limitation and thus cannot merely be ignored by the Examiner. See MPEP 2143.03. With regard to the Examiner ignoring the claim preamble language, this language is tied to the body of the claim and thus breathes life and meaning into the claim and cannot be ignored. Claim 1, for example, is directed to a connecting bar and includes relationships with a device or appliance for example. The tying of the preamble to the body of the claim adds significance to the preamble. As set forth below, the Examiner is citing prior art which is completely unrelated and thus, which must be withdrawn. This is based on both the preamble and body of the claim. Thus, favorable consideration is requested.

Drawing Objection

The Examiner has objected to the drawings, alleging that the drawings do not show every feature of the invention specified in the claims. Although Applicants do not necessarily agree, and although much of the objected language has been removed from the claims, Applicants submit drawing changes in a Drawing Correction Approval Request. In the Drawing Correction Approval Request, Applicants hereby submit corrections to Fig. 8, wherein Fig. 8 has been relabeled as Fig. 8a, with cross-section indicators "A" being added; and wherein new Fig. 8b has been added, illustrating the cross section A-A of Fig. 8a. Approval of these drawing changes is respectfully requested.

As approval of this drawing change is anticipated, Applicants further submit a Letter to the Official Draftsperson, including a new drawing sheet which includes formal drawings of old Figures 6 and 7 and new Figs. 8a and 8b. Entry of this new drawing sheet, replacing the previous sheet including Figs. 6, 7 and 8, is respectfully requested.

In addition to adding the new drawing figure, Applicants have further amended the Substitute Specification and enclose a revised Substitute Specification for entry in connection with the present application. In this revised Substitute Specification, Fig. 2 has been clarified to refer to the outer contour of connecting bar 4; and Figs. 8a and 8b have been explained to further clarify window opening 47 being adapted to the outer contour 48 of connecting bar 1. Entry of this revised Substitute Specification is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1 and 19 under 35 U.S.C. § 112, second paragraph. Accordingly, by the present Amendment, claim 1 has been amended to alleviate the rejection. Withdrawal of the Examiner's rejection is respectfully requested.

Prior Art Rejections

The Examiner has rejected claims 1-4, 6, 8, 10, 11, 14, 16, 18 and 19 under 35 U.S.C. § 112(b) as being anticipated by Pritzen, Jr. This rejection is respectfully traversed.

Applicants have amended claim 1 in an effort to clarify the distinctions between the connecting bar of claim 1 and the bus duct of Pritzen, Jr. Claim 1 has now been clarified to refer to a connecting bar comprising an outer contour for accommodation through a window opening in a wall of an appliance or device. At least such a connecting bar is not taught or suggested by the Pritzen, Jr. as will be explained as follows.

The Examiner attempts to equate the bus duct housing 10 of Pritzen, Jr. with an electrically conducting rail or connecting bar as set forth in claim 1, which serves to connect electrical components of electrical appliances and devices to an external circuit. However, the housing 10 of the bus duct of Pritzen, Jr. is aluminum (see Abstract for example) and thus is only for the purpose of cooling. Only the insulated bus bars, inside housing 10, function for electrical connection, wherein each of these insulated bus bars is electrically insulated especially against the housing (see column 1, lines 54-67 for example). The housing 10 of the Pritzen, Jr. reference therefore can in no way be compared to the connecting bar for the connection of electrical components to an external circuit, as set forth in claim 1 of the present application. Accordingly, the rejection must be withdrawn.

The bus rail arrangement as shown in Pritzen, Jr. may arguably be used to connect with other devices, but the bus rail arrangements themselves are not connecting rails or connecting bars as set forth in claim 1. A person skilled in the art would therefore not take into consideration the teachings of Pritzen, Jr. for design of such a connecting rail or connecting bar as set forth in claim 1. Still further, even if one of ordinary skill in the art would consider the use of the teachings of Pritzen, Jr. in such an environment, he would at most compare the housing 10, and not the bus rail arrangements themselves. The housing, however, is aluminum, and thus has nothing to do with the connecting bar for the connection of electrical components to an external circuit, as set forth in claim 1 of the present application.

Still further, the bus bar 14 disclosed in Pritzen, Jr. are designed as full-range conductors. Thus, one of ordinary skill would not be led to provide a hollow design for the bus bar so that it can be adapted to a nominal current while maintaining a specific outer contour, as taught in claim 1. A person of ordinary skill in the art would look to the teachings of Pritzen, Jr. and would want to control current-carrying ability of a bus arrangement via a number of full-range conductors, not by making it hollow. Accordingly, the teachings of Pritzen, Jr. cannot anticipate claim 1, nor render it obvious.

Accordingly, Applicants respectfully submit that the Examiner has merely chosen to find bits and pieces of Pritzen, Jr. in an attempt to meet the various limitations of the claim. This is not correct under the standards of 35 U.S.C. § 102 or 35 U.S.C. § 103. Applicants set forth a claim to an actual connecting bar itself for connecting electrical components to an external circuit, wherein the connecting bar itself includes an outer contour for accommodation through a window opening in a wall of an appliance or device, is hollow and includes a cross-sectional surface of a remaining wall thickness which is adapted to a respective nominal current. In

Pritzen, Jr., the actual connection element is an insulated bus bar inside of a non-conducting aluminum housing 10. The aluminum housing 10 itself is hollow, and not the electrically connecting bus bars. Thus, for at least these reasons, Applicants respectfully submit that Pritzen, Jr. fails to teach or suggest the limitations set forth in claim 1 of the present application, and further fails to render the claim obvious. Accordingly, withdrawal of the Examiner's rejection and allowance of claims 1-12 and 14-19 is respectfully requested.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 5 and 15 as being unpatentable over Pritzen, Jr. in view of Anderson et al. This rejection is respectfully traversed.

Applicants respectfully submit that even assuming *arguendo* that Anderson et al. could be combined with Pritzen, Jr., which Applicants do not admit, Anderson et al. would still fail to make up for at least the aforementioned deficiencies of Pritzen, Jr. with regard to claim 1 of the present application. Accordingly, for reasons previously set forth, Applicants respectfully submit that independent claim 1, as thus dependent claims 5 and 15, are allowable over the alleged combination of Pritzen, Jr. and Anderson et al. Therefore, withdrawal of the rejection is respectfully requested.

The Examiner has further rejected claim 12 under 35 U.S.C. § 103 as being unpatentable over Pritzen, Jr. in view of Geiger, Jr. et al. This rejection is respectfully traversed.

Even assuming *arguendo* that Geiger, Jr. et al. could be combined with Pritzen, Jr., which Applicants do not admit, Geiger, Jr. et al. would still fail to make up for at least the previously mentioned deficiencies of Pritzen, Jr. with respect to claim 1. Accordingly, for reasons previously set forth regarding independent claim 1, Applicants respectfully submit that

dependent claim 12 is allowable over the alleged combination of Pritzen, Jr. in view of Geiger, Jr. et al. Thus, withdrawal of the Examiner's rejection is respectfully requested.

Finally, the Examiner has rejected claims 7, 9 and 17 under 35 U.S.C. §103 as being unpatentable over Pritzen, Jr. This rejection is respectfully traversed for the reasons previously set forth regarding independent claim 1.

Further, regarding the additional limitations of claims 7, 9 and 17, the Examiner has not provided any evidence as to why one of ordinary skill in the art would be motivated to modify the teachings of Pritzen, Jr. to meet the limitations of claim 1, let alone to meet the limitations of claim 7, 9 and 17. The Examiner has merely offered opinion, which is not evidence.

Relying on common knowledge or common sense of a person of ordinary skill in the art without any specific hint or suggestion of this in a particular reference is not the standard for reaching the conclusion of obviousness. See In re Sang Lee, 61 USPQ2d 1430 (Fed. Cir. 2002). If the Examiner is relying on personal knowledge to support a finding of what is known to those of ordinary skill in the art, the Examiner **must provide** an Affidavit or Declaration setting forth the specific factual statements and explanations to support the finding. See 37 C.F.R. 1.104(d)(2) and MPEP 2144.03(c). Accordingly, Applicants respectfully challenge the Examiner's rejection and respectfully require the Examiner to withdraw the rejection or provide an Affidavit or Declaration as set forth above if the rejection is to be maintained.

Entry of Amendments After Final

Applicants respectfully request entry of the present amendments in that they raise no new issues requiring further consideration and/or search. The claims have merely been clarified as requested by the Examiner, in an effort to avoid the rejections under 35 U.S.C. § 112, second paragraph and to further avoid minor drawing objections. In the alternative, Applicants respectfully request the Examiner to enter the present amendments upon filing of an Appeal in connection with the present connection, as the amendments clearly reduce the issues for Appeal (namely the issues under 35 U.S.C. § 112, second paragraph).

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of all outstanding objections and rejections and allowance of each of claims 1-12 and 14-19 in connection with the present application is earnestly solicited.

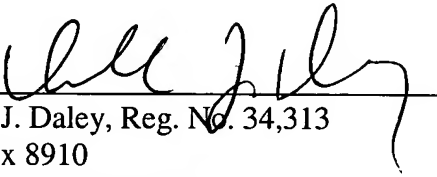
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any

additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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